

Office Action Summary

Application No.

10/728,233

Applicant(s)

NICHOLSON, DENNIS
LAWRENCE

Examiner

Jiping Lu

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-15, 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status

1. Claims 1-10, 12-15 and 17 are now in the case. Claims 11 and 16 have been cancelled.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-10, 12-15, 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed "sleeve" in claims 1-10, 12-15 and 17 is new matter which is not supported by the originally filed specification.

Claim Rejections - 35 USC § 102/103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-2 and 4-6 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Jacobson (U. S. Pat. 6,499,227) in view of Rudeen et al. (U. S. Pub. No. 2004/0084495 A1) or Antczak et al. (U. S. Pat. 5,934,530).

Jacobson shows a golf cart 15 comprising at least one external surface 20 of a golf cart frame support 20 and an apparatus or sleeve 10, 34, 35, 60 for coupling a glove 80 to the external surface of a support 20 of the golf cart 15. The support 20 has a vertical longitudinal axis. The sleeve 34, 60 is provided to couple a glove 80 to the support 20. The sleeve 34, 60 has a first end (top end at 34) and an opposing end (bottom, below 34). A body (the height of the sleeve) extends therebetween. The body of the apparatus or sleeve 10, 34, 35, 60 (Figs. 2, 8A-C) has an inner surface (left side, not numbered, facing the external surface 20 of golf cart 15) and an outer surface (opposite to the inner surface). The body 34, 35, 60 is substantially concentrically aligned with and coupled to the support 20 of the golf cart 15 such that the inner surface remains in substantial contact against the least one external surface 20 of the golf cart 15 during the operation of the golf cart 15. The central axis of the body 34, 35, 60 extends from the first end and the second end. The central axis is substantially coaxial with the longitudinal axis of the golf cart frame support 20 when coupled to the support 20. The body 35 has at least one first fastening mechanism 70 coupled to the body inner surface to said at least one external surface 20 of the golf cart 15. The body outer surface has at least one second fastening mechanism 40, 50, 74, 126, 136 for removably coupling a glove 80 directly to the body 35 such that the surface of the glove 80 remains coupled to the outer surface of the apparatus or sleeve 10 in a mating arrangement when the sleeve 10, 35, is coupled to the support 20. The apparatus or sleeve 10, 35 has a centerline axis of symmetry extending between a first end (right side of Fig. 2 the extended band, not numbered, at top edge) and an opposing second end (right side of Fig. 2 the extended band, not numbered, at bottom edge, not numbered) of said apparatus 10, 35. The centerline axis of symmetry is coaxial or concentric with the longitudinal axis. The body 10, 35 is also

substantially concentrically aligned with the centerline axis of symmetry and coupled to the golf cart 20. Or alternatively, assuming the glove is not coupled directly to body, Ruddeen et al. teach a golf accessory carrier comprising a sheet material body 200 with an inner surface and an outer surface 210 having Velcro material for removably coupling a glove directly to the body same as claimed. The body 200 substantially concentrically aligned with a support. Antczak et al. teach a golf accessory organizer comprising a sheet material body 1 with an inner surface and an outer surface 19, 21 having Velcro material for removably coupling a glove 53 directly to the body same as claimed. The body 1 is substantially concentrically aligned with a support. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the golf accessory carrier/organizer of Rudeen et al. or Antczak et al. for the glove coupling apparatus 35 of Jacobson in order to facilitate coupling and removing glove to the golf cart. The claims would have been obvious because the substitution of one known element for another would have yielded predictable results to one ordinary skilled in the art at the time of invention. (see KSR International Co. v. Teleflex, Inc. 82 USPQ 2d 1385 (2007)).

6. Claims 1-10 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Ellenburg (U. S. Pat. 5,983,518) in view of Rudeen et al. (U. S. Pub. No. 2004/0084495 A1) or Antczak et al. (U. S. Pat. 5,934,530).

Ellenburg shows a golf cart 34 comprising at least one external surface 32 of a support 32 and an apparatus 10 for coupling a glove 36 to the external surface 32 of the support 32 of the golf cart 34. The support 32 has a longitudinal axis. The apparatus or sleeve 20, 24 has a body 24 with an inner surface (facing the external surface 32 of golf cart 34) and an outer surface 20

(opposite to inner surface). The sleeve 20 has a first end (top end at 22) and an opposing end (bottom, below 24). A body 24 (the height of the sleeve) extends therebetween. The body of the apparatus or sleeve 24 has an inner surface (between 20 and 32) and an outer surface (opposite to the inner surface at 24). The body 24 is substantially concentrically aligned with and coupled to the support 32 of the golf cart 34 such that the inner surface remains in substantial contact against the least one external surface of the golf cart 34. The central axis of the body 24 extends from the first end and the second end. The central axis is substantially coaxial with the longitudinal axis of the golf cart frame support 32 when coupled to the support 32. The body outer surface has at least one second fastening mechanism 30 for removably coupling a glove 42 directly to the body 24 such that the surface of the glove 42 remains coupled to the outer surface of the apparatus or sleeve 24 in a mating arrangement when the sleeve 24 is coupled to the support 32. The body 24 is substantially concentrically aligned with and coupled to the support 32 of the golf cart 34 such that the substantially all of the inner surface remain in contact against the least one external surface 32 of the golf cart 34. The body 24 has at least one fastening mechanism (inner surface of 24 by friction) for coupling the body inner surface to said at least one external surface 32 of the golf cart 34. The body outer surface has at least one fastening mechanism 12, 14, 16, 18, 19, 38, 40 for removably coupling a glove 36 (e.g. oversized glove) directly to the body 24 such that the glove 36 remains coupled to the apparatus or sleeve 20, 24 during the operation of the golf cart 34. The body 20, 24 comprises at least one fastening mechanism 26-30 for securing the body inner surface against the at least one external surface. The apparatus or sleeve 20, 24 has a centerline axis of symmetry extending between a first end (at top edge 22) and an opposing second end (at bottom edge below 24, not numbered) of said

apparatus or sleeve 20, 24. The centerline axis of symmetry is coaxial or concentric with the longitudinal axis. The body 20, 24 is also substantially concentrically aligned with the centerline axis of symmetry and coupled to the golf cart 32, 34. For claim 7, the fastening mechanism of Ellenburg is capable of coupling an outer surface of a glove directly to the drying system between the first and second ends. Or alternatively, assuming the glove is not coupled directly to body, Rudeen et al. teach a golf accessory carrier comprising a sheet material body 200 with an inner surface and an outer surface 210 having Velcro material for removably coupling an outer surface of a glove directly to the body same as claimed. The body 200 substantially concentrically aligned with a support. Antczak et al. teach a golf accessory organizer comprising a sheet material body 1 with an inner surface and an outer surface 19, 21 having Velcro material for removably coupling an outer surface of a glove 53 directly to the body same as claimed. The body 1 substantially concentrically aligned with a support. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the golf accessory carrier/organizer of Rudeen et al. or Antczak et al. for the glove coupling apparatus 10 of Ellenburg in order to facilitate coupling and removing glove to the golf cart. The claims would have been obvious because the substitution of one known element for another would have yielded predictable results to one ordinary skilled in the art at the time of invention. (see KSR International Co. v. Teleflex, Inc. 82 USPQ 2d 1385 (2007)).

7. Claims 1-10, 12-15 and 17 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Passafiume (U. S. Pat. 2002/0138953 A1) in view of Rudeen et al. (U. S. Pub. No. 2004/0084495 A1) or Antczak et al. (U. S. Pat. 5,934,530).

Passafiume shows a golf cart 14 comprising at least one external surface 12 of a support 12, 22 and an apparatus or sleeve 56a for coupling a glove 20 to the external surface 12 of the golf cart 14. The apparatus or sleeve 56a has a body 56 with an inner surface 54a, 56a, 58a and an outer surface 54b, 56b, 58b. The support 12 of the golf cart has a longitudinal axis. The support 12 has a longitudinal axis. The apparatus or sleeve 56a has a body 56 with an inner surface (facing the external surface 12 of golf cart 14) and an outer surface 54b (opposite to inner surface). The sleeve 56a has a first end (top end at 54) and an opposing end (bottom, below 62). A body 56 (the height of the sleeve) extends therebetween. The body 56 of the apparatus or sleeve 56a has an inner surface (between 56a and 12) and an outer surface (opposite to the inner surface at 64). The body 56 is substantially concentrically aligned with and coupled to the support 12 of the golf cart 34 such that the inner surface remains in substantial contact against the least one external surface of the golf cart 34. The body 56 is substantially concentrically aligned with and coupled to the support 12, 22 of the golf cart 14 such that the substantially the entire inner surface remains in contact against the least one external surface 12 of the golf cart 14. The body 56 has at least one fastening mechanism (inner surface of 54a-58a and 60, 62 by friction and clamping) for coupling the body inner surface to said at least one external surface 12 of the support 12, 22 of the golf cart 14. The body outer surface has at least one second fastening mechanism 64, 30-80 for removably coupling a glove 20 (oversized glove) directly to the body 56a such that an oversized glove 20 is capable of remaining directly coupled to the apparatus or sleeve 56a. The body 56 comprises at least one fastening mechanism 60, 62, 64 for securing the body inner surface against the at least one external surface. The body 56 is also substantially concentrically aligned with the centerline axis of symmetry and coupled to the golf cart 112b,

112d. For claim 13, see first fastening mechanism 62, 64 adjacent the body first end and at least one second fastening mechanism 60, 64 adjacent the body second end. The apparatus 56 has a centerline axis of symmetry extending between a first end (at top edge 62) and an opposing second end (at bottom edge below 62, not numbered) of said apparatus 56. The centerline axis of symmetry is coaxial or concentric with the longitudinal axis. For claims 7, 13 and 17, the fastening mechanism of Passafiume is capable of coupling an outer surface of a glove directly to the drying system. Or alternatively, assuming the glove is not coupled directly to body, Rudeen et al. teach a golf accessory carrier comprising a sheet material body 200 with an inner surface and an outer surface 210 having Velcro material for removably coupling an outer surface of a glove directly to the body same as claimed. The body 200 substantially concentrically aligned with a support. Antczak et al. teach a golf accessory organizer comprising a sheet material body 1 with an inner surface and an outer surface 19, 21 having Velcro material for removably coupling an outer surface of a glove 53 directly to the body same as claimed. The body 1 substantially concentrically aligned with a support. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the golf accessory carrier/organizer of Rudeen et al. or Antczak et al. for the glove coupling apparatus 10 of Passafiume in order to facilitate coupling and removing glove to the golf cart. The claims would have been obvious because the substitution of one known element for another would have yielded predictable results to one ordinary skilled in the art at the time of invention. (see KSR International Co. v. Teleflex, Inc. 82 USPQ 2d 1385 (2007)).

Response to Arguments

8. Applicant's arguments with respect to the pending claims, particularly broadened claim 7, filed on Oct. 25, 2007 have been considered but are not persuasive to overcome the rejection. Claims fail to structurally define over the prior art references. The claimed sleeve with outer adhesive surface for holding a glove is well known in the art. To tie the sleeve over a support of a golf cart, e.g. coaxial arrangement, is also well known in the art. The claims presented simply are not patentable. The examiner requests that the applicant to point out exactly which limitations from the claims that the prior art references do not teach or show. Since the amendment of Oct 25, 2007 is substantially similar in scope as the claims presented in Jul. 17, 2007 amendment and the arguments advanced are also similar to the arguments presented previously, then the examiner hereby incorporates by reference the detailed rebuttals made in the Office action of 10/19/05.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

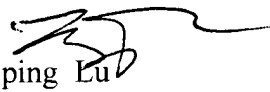
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEVEN B. MCALLISTER can be reached on 571 272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jiping Lu
Primary Examiner
Art Unit 3749

J. L.